

**HEARING SCHEDULE
CITY COUNCIL MEETINGS BEGINNING OCTOBER 15, 2001**

Monday, October 15, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Wednesday, October 17, 2001	4:30 P.M.	The Ordinance Committee will conduct a public hearing to consider a proposed amendment to the Zoning Ordinance regarding the regulation of storage and mechanical space in residential buildings. (Sullivan Chamber) This hearing is televised.
Wednesday, October 17, 2001	5:30 P.M.	The Ordinance Committee will conduct a public hearing to consider a proposed amendment to the Municipal Code to require all bicycles ridden at Fresh Pond be equipped with bells to warn pedestrians of their approach from behind. (Sullivan Chamber)
Monday, October 22, 2001	5:30 P.M.	Roundtable Meeting Discussion of 2000 Census Data. Informal meeting with no public comment, at which no votes will be taken. Meeting will not be televised. (Sullivan Chamber)
Thursday, October 25, 2001	4:30 P.M.	The Neighborhood and Long Term Planning Committee will conduct a public meeting to receive an update on the Urban Ring. (Sullivan Chamber)

City of Cambridge does not discriminate on the basis of disability. The City Council will provide auxiliary aids and services, written materials in alternative formats, and reasonable modifications in policies and procedures to person with disabilities upon request. Contact the Office of the City Clerk 349-4260, tty/TDD 349-4242.

Monday, October 29, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, November 5, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Wednesday, November 14, 2001	5:30 P.M.	The Government Operations, Rules and Claims Committee will conduct a public hearing to consider claims filed against the City. (Ackermann Room)
Monday, November 19, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, November 26, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 3, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 10, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 17, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)

OCTOBER 15, 2001

1. Transmitting communication from Robert W. Healy, City Manager, relative to a preliminary report regarding an offer from Harvard University to purchase an easement below Cambridge Street that represents the conclusion of a 5-year process relating to the construction of the Center for Government and Institutional Studies project.
2. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-230**, regarding traffic safety concerns at Gore and Lambert Streets.
3. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-235**, regarding recent housebreaks in West Cambridge.
4. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-237**, regarding a report on the plan to prevent mosquitoes from breeding at the new water retention area at the foot of the Weir Meadow at Fresh Pond Reservation.
5. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-218**, regarding a report on issues surrounding the gas station at the corner of Walden Street and Concord Avenue.
6. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-236**, regarding a report on the City's prescription drug program with emphasis on mail order portion or the plan.
7. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of a donation from the Pacer Foundation for \$2,000 to the Grant Fund DHSP Other Ordinary Maintenance to provide funds for the Special Needs Program of the Recreation Division to purchase supplies to operate the program.

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8. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of a grant from the Cambridge Housing Authority for \$17,727 to the Grant Fund DHSP Salaries & Wages (\$15,447) and Other Ordinary Maintenance (\$2,280) to provide funds to cover a portion of the costs of the Bridge Transitional Program for high school and GED graduates.
9. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of a grant from the Mass Dept. of Ed. for \$85,000 to the Grant Fund Human Services Salaries & Wages (\$59,294), Other Ordinary Maintenance (\$22,506), and Travel & Training (\$3,200) to provide funds to cover a portion of the costs of the Community Learning Center's program for young adults with disabilities.
10. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of a donation from the Nellie Mae Education Foundation through the New England Literacy Resource Institute for \$24,000 to the Grant fund DHSP Salaries & Wages Account (\$18,718), and Other Ordinary Maintenance Account (\$5,282) to provide funds to expand and improve the Bridge Program which is a transitional program for high school & GED graduates who aspire to attend college.
11. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of a grant from the Commonwealth Corp. through ERI for \$8,853 to the Grant Fund DHSP Other Ordinary Maint. to provide funds for current year expenses associated with the Mayor's Summer Youth Employment Program.
12. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of \$1,200 in donations from Cambridge businesses to the Grant Fund DHSP Salary & Wages Account to provide funds to cover the salary of one part-time teacher for English classes for employees of Cambridge businesses.

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13. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of a grant from the Childcare Resource Center for \$25,296.28 to the Grant Fund Human Services Other Ordinary Maintenance to provide funds to enable the Childcare Division to DHSP to upgrade existing classroom supplies and materials.
14. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of a donation for \$3,202.42 from the Cambridge Community Partnership for Children through the Cambridge Economic Opportunity Committee to the Grant Fund DHSP Other Ordinary Maintenance Account to provide funds to maintain accreditation from the State Office Childcare Services.
15. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of \$163,873 in grants from the U.S. Department of Justice, Bureau of Justice Assistance for \$95,309 and the Massachusetts Executive Office of Public Safety \$68,564 to the Grant Fund Police Other Ordinary Maintenance Account to provide funds for the purchase of approximately 225 bullet-proof vests for all officers interested in this piece of equipment.
16. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-222**, regarding a report on repaving the proposed night-time truck routes.
17. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-224**, regarding plan to complete road restoration work.

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18. Transmitting communication from Robert W. Healy, City Manager, relative to the acceptance of a gift of \$5,000 and appropriation of said gift to establish the Ruth L. Barron Police Memorial Fund.
19. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-211**, regarding the City's procedures for responding to after-hour calls such as the skunk incident.
20. Transmitting communication from Robert W. Healy, City Manager, relative to Council Order Number 35, dated 9/24/01, regarding Zoning District Boundaries.
21. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the transfer of \$35,500 from the Reserve Fund to the Police Department Other Ordinary Maintenance Account to provide funds to purchase equipment needs for the Special Response Team.
22. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of a grant from the MWRA for \$345,310 to the Public Investment Fund Public Works Extraordinary Expenditures Account to supplement previously appropriated funds to continue the program to reduce infiltration/inflow into the City's sewer system.
23. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-238**, regarding a report on legal issues to the requirement for a super majority vote to amend zoning.

October 15, 2001

To The Honorable, The City Council:

In response to Awaiting Report Item No. 01-237, regarding a report on the plan to prevent mosquitoes from breeding at the new water retention area at the foot of the Weir Meadow at Fresh Pond Reservation, Managing Director of the Cambridge Water Department Sam Corda reports the following:

The water quality swale being constructed at the Weir Meadow at the Fresh Pond Reservation is designed to treat storm water before it enters the adjacent reservoir. When this swale is completed it will function similar to a natural wetland system. Staff from the Middlesex County Mosquito Control (MCMC) has surveyed this swale and did not believe it would be a place for mosquitoes to breed. However, this area and other similar areas at the Fresh Pond Reservation have and will continue to be monitored on a regular basis. If at any time there is an indication of mosquito breeding the appropriate measures will be taken by the MCMC. The standard "mosquito spraying" is not allowed on Fresh Pond Reservation.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

October 15, 2001

To The Honorable, The City Council:

In response to Awaiting Report Item No. 01-236, regarding a report on the City's prescription drug program with emphasis on mail order portion of the plan, Personnel Director Michael P. Gardner reports the following:

The attached chart shows the current prescription drug benefits available to our employees and retirees.

Each plan has a list of non-covered drugs, which are typically "lifestyle" drugs or newly approved drugs that have just come on the market. The plans have an appeal or exception process in place for physicians who feel the drug is a medically necessity to his/her patient.

The mail order program is typically for drugs used to treat chronic or long term conditions, or for drugs used to maintain health status over a long period of time.

Harvard Pilgrim, Tufts, and Aetna/US Healthcare have introduced a three-tier co-pay arrangement in recent years, typically charging more for very expensive brand name drugs for which a generic equivalent or less expensive brand alternative usually exists. Blue Cross Blue Shield will be introducing three-tier drug program with the next open enrollment, with changes effective in April 2002.

Attached is a sample informational brochure and application form from Blue Cross Blue Shield for mail order drugs.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

City of Cambridge Health Insurance Benefits
Prescription Drugs
10-04-01

Plan Name	Retail Pharmacy Benefit (up to 30 day supply)	Mail Order Prescription (up to a 90 day supply)s
BC/BS Blue Choice	\$5 generic \$10 brand name	\$5 generic \$10 brand name
BC/BS HMO Blue	\$5 generic \$10 brand name	\$5 generic \$10 brand name
Harvard Pilgrim	\$5 generic \$10 brand formulary \$25 brand non-formulary	\$10 generic \$20 brand formulary \$75 brand non-formulary
Aetna/US Healthcare	\$5 generic \$10 brand formulary \$25 brand non-formulary	\$10 generic \$20 brand formulary \$50 brand or generic non-formulary
Tufts Health Plan	\$5 generic \$10 preferred brand \$25 non preferred brand	\$10 generic \$20 preferred brand \$50 non preferred brand
BC/BS Medex	After \$35 quarterly deductible: \$0 generic 20% co-insurance brand	\$2 generic \$15 brand name
BC/BS Managed Blue for Seniors	25% generic 50% brand name	\$5 generic \$30 brand name
Harvard Pilgrim First Seniority	\$5 generic \$10 brand formulary \$25 brand non-formulary	\$8 generic \$15 brand formulary \$75 brand non-formulary
Tufts Secure Horizons	\$5 generic \$10 preferred brand \$30 non preferred brand	\$10 generic \$30 preferred brand \$60 non preferred brand
BC/BS Master Medical	20% co-insurance until reaching co-insurance annual maximum (\$200 individual/\$400 family), then full coverage	\$5 generic \$10 brand name
BC/BS Major Medical	No Coverage	No Coverage

October 15, 2001

To The Honorable, The City Council:

In response to Awaiting Report Item No. 01-235, regarding a report on recent incidences of housebreaks in West Cambridge, Police Commissioner Ronnie Watson reports the following:

Since August, 2001, there have been eleven housebreaks in the West Cambridge area. Based on the investigations, there appears to be no fixed pattern to these crimes. The Commanding Officers of both the Day and Night Patrols have been directed to assign the appropriate route/sector units, including walking patrols, in this area. Police Detectives are following several leads and will continue their investigations.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

October 15, 2001

To The Honorable, The City Council:

In response to Awaiting Report Item No. 01-230, regarding a report on traffic safety concerns at Gore and Lambert Streets, Traffic, Parking & Transportation Department Director Susan Clippinger reports the following:

The Department is currently in the early process of reviewing the proposed Twin-City Mall expansion. Changes to the parking lot layout are proposed to reduce vehicle speeds and improve pedestrian safety. The Department will give this intersection special attention with reference to pedestrian safety as the plans are reviewed for the Twin-City Mall.

A request has been sent to the Police Department to conduct selective enforcement on vehicles violating the right-turn on red during the hours of 9:00 a.m. to 8:00 p.m., with particularly emphasis during the morning peak hours when volumes are highest.

Accident data was reviewed for this location and it was discovered that motor vehicle accidents have decreased over the past 3-years. The crosswalks at this intersection were upgraded in July from paint to highly durable and reflective thermoplastic material.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

October 15, 2001

To The Honorable, The City Council:

In response to Awaiting Report Item No. 01-218, regarding a report on issues surrounding the gas station at the corner of Walden Street and Concord Avenue, please find attached a copy of the disciplinary hearing decision received from the License Commission.

Also attached is a response from Inspectional Services Commissioner Robert Bersani concerning the legality and safety of the signs overhanging the public sidewalks at this location.

Additionally, the Traffic, Parking & Transportation Department will continue to enforce all illegally parked vehicles in this area, especially those parked on the sidewalk or in permit parking areas.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachments

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of a donation from the Pacer Foundation for \$2,000 to the Grant Fund Human Services Other Ordinary Maintenance account to provide funds to the Special Needs Program of the Recreation Division to purchase supplies necessary for the operation of the program.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from the Cambridge Housing Authority for \$17,727 to the Grant Fund Human Services Salaries and Wages account (\$15,447) and Other Ordinary Maintenance account (\$2,280) to provide funds to cover a portion of the costs of the Bridge Transitional Program for high school and GED graduates who desire to attend college. These funds will be used to cover a portion of the salary and benefits of a counselor as well as career workshop speakers and general supplies.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from the Massachusetts Department of Education for \$85,000 to the Grant Fund Human Services Salaries and Wages account (\$59,294), Other Ordinary Maintenance account (\$22,506), and Travel and Training account (\$3,200) to provide funds to cover a portion of the costs of the Community Learning Center's program for young adults with disabilities. These funds will cover a portion of the salaries of five teachers and one teacher's aide and the costs of training materials and workshop and seminar expenses.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of a donation from the Nellie Mae Education Foundation through the New England Literacy Resource Institute for \$24,000 to the Grant Fund Human Services Salaries and Wages account (\$18,718) and Other Ordinary Maintenance account (\$5,282) to provide funds to expand and improve the Bridge program which is a transitional program for high school and GED graduates who aspire to attend college. These funds will be used to cover a portion of the salary of one counselor as well as contractual work and general supplies.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of \$1,200 in donations from Cambridge businesses to the Grant Fund Human Services Salaries and Wages account to provide funds to cover the salary of one part-time teacher for English classes for employees of Cambridge businesses.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from the Childcare Resource Center for \$25,296.28 to the Grant Fund Human Services Other Ordinary Maintenance to provide funds to enable the Childcare Division of Human Services to upgrade existing classroom supplies and materials.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

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I am hereby requesting the appropriation of a donation for \$3,202.42 from the Cambridge Community Partnership for Children through the Cambridge Economic Opportunity Committee to the Grant Fund Human Services Other Ordinary Maintenance account to provide funds to maintain accreditation from the State Office Childcare Services.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from the Commonwealth Corporation through Employment Resources Inc. for \$8,853 to the Grant Fund Human Services Other Ordinary Maintenance account to provide funds for current year expenses associated with the Mayor's Summer Youth Employment Program.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of \$163,873 in grants from the U.S. Department of Justice, Bureau of Justice Assistance for \$95,309 and the Massachusetts Executive Office of Public Safety \$68,564 to the Grant Fund Police Other Ordinary Maintenance account to provide funds for the purchase of approximately 225 bullet-proof vests for all officers interested in this piece of equipment.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 01-224, regarding a report on the City's plan to complete road restoration work on the many Cambridge streets, received from Public Works Commissioner Lisa Peterson.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
attachment

TO: Robert W. Healy, City Manager

FROM: Lisa Peterson, Commissioner

DATE: October 9, 2001

In response to Awaiting Report #01-224 regarding a report on the City's plans to complete road restoration work on Cambridge streets, please find attached a table showing all of the streets that have been recently paved or are scheduled for reconstruction using funds already appropriated. It is important to note that the table depicts the City's current plan, which is subject to change based on unforeseen conditions. In addition, the Department of Public Works (DPW) will soon be recommending funding for additional paving work for Spring 2002 to address some of the isolated areas where immediate paving work will improve ridability and further protect the street structure; I anticipate that these funds will be available through additional Street Preservation Offset Fees (SPOF). I will forward you proposed sections of streets once the DPW has had the opportunity to further assess the pavement conditions in the areas under consideration.

With regards to road restoration work on streets which are undergoing underground utility work, please be informed that as a policy, DPW-initiated sewer separation projects incorporate surface restoration as an integral part of the construction contract. Occasionally due to the extensive nature of the separation project where many utilities are involved, the streets are temporarily restored during the construction and will at the conclusion of the construction process be fully restored.

With significant private utility work, the DPW will either require that the utility company incorporate surface restoration within its project or will plan to restore the street itself after the project is complete, with the utility company contributing to the restoration cost using the Street Preservation Offset Fee (SPOF).

On those streets where significant utility work by companies or developers have occurred the City will again prioritize those streets, depending on the overall condition, using both Chapter 90 and SPOF funds.

At present there are three major sewer separation projects under construction: The Fresh Pond Sewer Separation project, the Carver Crescent Agassiz sewer separation project and the South Massachusetts Avenue project. All of the utility work associated with the Fresh Pond Parkway project is complete, with the exception of one piece on Wheeler Street. This thoroughfare should be paved before the end of this calendar year. In the Agassiz neighborhood, all of the sewer separation work will be completed in the near future; the majority of the streets have been paved to binder level at this point in time and the majority of the streets will be fully paved before the end of this year. Finally on South Massachusetts Avenue the drainage project will be substantially complete by the end of this year and thus will not hinder the reconstruction associated with the Massachusetts Highway enhancement project scheduled to begin soon thereafter.

Street Reconstruction Status Report

Street	From	To	Funding
Rindge Avenue	Mass	Sheridan Sq.	Chapter 90
Yerxa Road	Rindge	Pemberton	Chapter 90
Haskill Street	Rindge	Pemberton	Chapter 90
Eustis Street	Oxford	Beacon	Sewer
Crescent Street	Oxford	Sacramento	Sewer
Carver Street	Sacramento	Museum	Sewer
Sacramento Street	Oxford	Beacon	Sewer
Wendell Street	Gorham	Carver	Sewer
Hammond Street	Gorham	Carver	Sewer
Museum Street	Gorham	Carver	Sewer
Howland Street	Hammond	Wendell	Sewer
Gorham Street	Museum	Sacramento	Sewer
Francis Avenue	Irving	Kirkland	Sewer
Irving Street	Francis	Bryant	Sewer
Fresh Pond Parkway	Huron	Concord	Sewer
Concord Avenue	Fresh Pond	Alewife	Sewer
Binney Street	Main	Fulkerson	Level 3
Union Street	Third	Second	Development
Line Street	Hampshire	Lincoln	NSTAR Gas
Lincoln Street	Cambridge	Kirkland	Level 3
	Union	Windsor	NSTAR Gas
Broadway	Binney	Hampshire	Development
Hampshire Street	Highland Ave.	Prospect	Chapter 90
Dover Street	Broadway	Inman	Chapter 90
Day Street	Somerville	Mass	Chapter 90
Chester Street	Somerville	Mass	Chapter 90
Milton Street	Somerville	Mass	Chapter 90
Russell Street	Somerville	Mass	Chapter 90
Sparks Street	Brattle St.	Mt. Auburn Street	Chapter 90
Willard Street	Brattle St.	Mt. Auburn Street	Chapter 90
Brattle Street	Willard St	Mason Street	Chapter 90
Windsor Street	South St	Lincoln	Chapter 90
Willow Street	Cambridge	Webster	Chapter 90
Union Street	Market	Hampshire	Chapter 90
Lawrence Street	Magazine	Pearl	Chapter 90
Perry Street	Magazine	Pearl	Chapter 90
Lee Street	Mass Ave	Broadway	Chapter 90
Decatour Street	Pearl	Brookline	Chapter 90
Watson Street	Pearl	Brookline	Chapter 90
Salem Street	Auburn	Watson	Chapter 90

Lopez Street	Pearl	Brookline	Chapter 90
Speridakis Terrace	Pearl	Cul de Sac	Chapter 90
Valentine Street	Pearl	Brookline	Chapter 90
Holworthy Street	Huron	Mt. Auburn Street	Chapter 90
Aberdeen Avenue	Huron	Mt. Auburn Street	Chapter 90
Inman Street	Broadway	Hampshire St	Chapter 90
Little Mass. Avenue	Cambridge	Mass Ave	Chapter 90
	Common		
Brattle Street	Mason	Story	Chapter 90
Churchill Avenue	Mass Ave	Matignon	Chapter 90
Matignon Road	Churchill	Alewife	Chapter 90
2nd Street	Hurley	Gore	Chapter 90
Vassar Street	Mass	Main	MIT
Osborne Street	Albany	Main	MIT
Third Street	Binney	Broadway	Development
Fulkerson Street	Bent	Binney	Development
Sargent Street	Rindge	Notre Dame	SPOF
Copley Street	Walden	Fayerwaether	SPOF
Raymond Street	Walden	Upland	SPOF
Lawn Court	Lawn Court		SPOF
Mass Avenue	Martin	Shepard	SPOF
Linnean Street	Raymond	Avon Hill	SPOF
Sixth Street	Cambridge	Gore	SPOF
Walden Street	Mead St	11a Walden St.	SPOF
Locust Street	Holworthy	Cushing	SPOF
Locust Terrace	Locust Terrace		SPOF
Fulkerson Street	Bent	Cambridge St.	SPOF
Dunstable Road	Dunstable Road		SPOF
Waverly Street	Albany	Henry	Mass. Highway
Albany Street	Albany	Waverly	Mass. Highway
Sidney Street	Pacific Street	Henry St	Mass. Highway
Connector Road	Henry	Brookline	Mass. Highway
Mass Avenue	Lafayette Sq	Memorial Drive	Mass. Highway
Cambridge Street	Line Street	McGrath Highway	General Funds

**RECONSTRUCTED INTERSECTIONS as a part of common manhole removal program
(sidewalks, ramps, catchbasins, street sections)**

Pleasant & Chesnut Streets			Sewer/SRF loa
Putnam & Whitney Streets			Sewer/SRF loa
Putnam & Pleasant Streets			Sewer/SRF loa
Allston & Andrew Streets			Sewer/SRF loa
Allston & Pleasant Streets			Sewer/SRF loa
Kenwood & Magazine Court			Sewer/SRF loa
Allston & Simpson Court			Sewer/SRF loa

Allston & Magazine Streets
Allston & Fairmount Streets
Allston & Kenwood Streets
Magazine @ Prince & Hamilton Streets
Prince & Pleasant Streets
Putnam & Green Streets
Brattle Square
Craigie & Berkeley Streets
Craigie & Buckingham Streets
Normandy & Blanchard Road
South Normandy & Blanchard Road
Flagg & Banks Streets

Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa

Magazine @ Erie & Fairmount Streets
Magazine & Chalk Streets
Magazine & Kelly Road
Magazine @ Perry & Upton Streets
Magazine & Cottage Streets
Magazine & William Streets
River Street & Putman Avenue

Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa
Sewer/SRF loa

October 15, 2001

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 01-222, regarding a report on repaving the proposed night-time truck routes, received from Public Works Commissioner Lisa Peterson.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

Night Time Truck Routes

Street	From	To	Comment
First Street	Cambridge	Binney	Street is generally good condition. NSTAR gas will be constructing 18" high pressure line on eastern side in Spring 02 and will grind & overlay lane affected immediately afterwards. Castings will be reset and cracks sealed in the near future.
Binney Street	First	Main	Those sections of Binney in need of paving have recently been repaved, namely Main to 6th on the Eastern side and Third to Second on both sides. The depression at Worthington apartments will be excavated and repaired in the near future. Castings will be reset and cracks sealed in the near future.
Vassar Street	Main	Mass	MIT will begin the reconstruction of the utilities on this street this fall and will within the next year begin the reconstruction process on the street. At this time it is the intention to maintain southbound traffic on this street during the construction period.
Main Street	Vassar	Mass	Main Street is generally in reasonable condition

but routine maintenance will be performed and those sections repaved where significant utility work has taken place. Most particularly between Windsor & Mass. Castings will be reset and cracks sealed in this area as a priority.

Massachusetts Avenue

Memorial Drive

Alewife Brook Pkwy

Mass Ave from Memorial Drive to Lafayette Sq. will be reconstructed by MHD beginning in Spring 2002. Mass Ave between Lafayette Square and Harvard Square is generally in good condition, but castings will be surveyed to ensure that they are properly placed. Between Harvard and Porter some more block paving work will be done similar to that between Martin and Shepard together with cast resetting and crack sealing. The section from Porter Square to Beach will be reconstructed during the Porter Square enhancement project. Sections of North Mass Avenue from Beach to the Alewife Brook Parkway will be cold planed and overlaid next Spring most particularly the parking lanes from Trolley Square to the Alewife on the Northern side and from Cottage Park Ave to Rindge Ave on the Southern side.

JF Kennedy Street	Memorial Drive	Brattle Street	JFK will be repaved as part of the Harvard Square enhancement project, but some interim paving may be necessary in the interim.
Huron Avenue	Fresh Pond Pkwy	Aberdeen	Sections of Huron Avenue require reconstruction and this will be addressed in the FY03 budget. In the interim casting, sealing and some limited paving work will be considered so as to improve ridability and protect the road structure.
Aberdeen Avenue	Huron Ave	Mt. Auburn Street	Aberdeen Avenue will be reconstructed in FY02/03. The contract documents are presently being prepared.
Mt. Auburn Street	Aberdeen	Belmont Line	Crack sealing and cast resetting will be prioritized for this street.
River Street	Memorial	Central Square	The section of street from Putnam to Memorial Drive needs to be repaved and will be done in next year's SPOF contract. In the meantime crack sealing and cast resetting will be addressed on this street.
Western Avenue	Memorial	Central Square	The City will look to do some block to block repaving on this street, in the interim the street will be maintained by crack sealing.

October 15, 2001

To The Honorable, The City Council:

Recommendation: That pursuant to Chapter 44, Section 53A, the City Council accepts a gift of \$5,000 and appropriate said gift to establish the Ruth L. Barron Police Memorial Fund.

The funds will be used to establish an award to be given to members of the Cambridge Police Department for outstanding performance. The selection of the receipt of the award is to be chosen by the Police Commissioner annually.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

October 15, 2001

To The Honorable, The City Council:

One result of the security analysis that we have been involved in since September 11th is the identification of additional equipment needs for the Special Response Team of the Cambridge Police Department. Therefore, I am recommending the transfer of \$35,500 from the Reserve Fund to the Police Department Other Ordinary Maintenance Account.

This equipment is to provide for officer protection in the event of the need of a “special response” to unforeseen incidents.

Passage is recommended.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

October 15, 2001

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 01-238, regarding a report on legal issues relative to the requirement for a super majority vote to amend zoning, received from City Solicitor Russell B. Higley.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

October 11, 2001

Robert W. Healy
City Manager

Dear Mr. Healy:

I am writing in response to a request for an analysis and report back on the legal issue regarding the requirement for a super-majority vote to amend zoning. A super-majority or two-thirds vote of the City Council is always required to change or amend the zoning ordinance. If, however, a protest against the proposed zoning change is duly filed by affected landowners as defined in the Massachusetts Zoning Act, Chapter 40A, Section 5, the change must be adopted by three-fourths of the City Council in order to pass. Similar statutes requiring a super-majority vote of a governing body in order to override a protest exist in many states. The courts have upheld the validity of such protest provisions, although the Massachusetts case law suggests that because the requirements of this statute limit the authority of the municipal legislative body by requiring the super-majority vote in these circumstances, the statute must be strictly construed.

There are only a handful of reported cases in Massachusetts in which the courts have interpreted the provisions of Chapter 40A, Section 5. Thus far, Massachusetts's courts have not given any guidance regarding the provision concerning the delineation of the land area from which a protest may rise. There are, however, reported cases from other jurisdictions that have addressed this issue with mixed results. Some courts have suggested that if in the context of an omnibus petition, several districts in a large area are proposed to be rezoned, it is sufficient for twenty percent (20%) of the landowners in any one of those districts to file a protest in order to trigger the super-majority requirement. However, other courts have determined that where a zoning petition affects a large area in several districts or even the entire city, the "land area" means the entire area covered by the petition. Therefore, a protest by twenty percent (20%) of the landowners in the entire area or, if applicable, the entire city is required. The Courts have carefully scrutinized the particular statutory requirements of each individual state's zoning laws as well as the facts pertaining to each of the zoning petitions at issue in these cases. The results from other jurisdictions are not only mixed, but are distinguishable from one another based upon different states' statutory schemes, and are clearly not precedent in Massachusetts.

It is our conclusion that generally, the phrase "the area of land proposed to be included in such change", means the entire area proposed to be rezoned by any particular zoning petition. This conclusion is based upon the fact that almost always in the City's planning process, proposed changes in one district must be considered in the context of the impacts of those changes upon other districts. The City's planning process in such circumstances could thus be thwarted if a small number of landowners were permitted to cause a portion of an overall plan to fail based upon a protest having been filed with respect only to proposed changes in one area or district. As the requirement for a super-majority vote constitutes a limitation on municipal legislative authority, and is thus likely to be narrowly construed, I believe that this conclusion would be upheld by our courts.

Very truly yours,

Russell B. Higley

October 15, 2001

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from the Massachusetts Water Resources Authority (MWRA) for \$345,310 to the Public Investment Fund Public Works Extraordinary Expenditures account to supplement previously appropriated funds to continue the program to reduce Infiltration/Inflow into the City's sewer system. The City has appropriated approximately \$5.8 million to date from various revenue sources including interest-free loans from the MWRA, MWRA grants, General Obligation Bonds, and current sewer revenues for a program which concentrates on identifying the various inflow and infiltration locations throughout the City and eliminating inflow from common manhole sources. Work in future years will focus on eliminating the identified inflow and infiltration locations.

Very truly yours,

Robert W. Healy
City Manager

October 15, 2001

To The Honorable, The City Council:

In response to Awaiting Report Item No. 01-211, regarding a report on the City's procedures for responding to after-hour calls such as the rabid skunk incident, Animal Commission Director Mark McCabe reports the following:

The current hours of operation of the Animal control office are as follows:

Monday - Friday	7:30 AM – 6:30 PM
Saturday	7:30 AM – 4:00 PM
Sunday	7:00AM – 3:30PM

Most holidays are covered by one Animal Control officer working an 8:30 a.m. – 5:00 p.m. shift. There are times due to sickness or vacation time that this schedule will vary.

The Animal control department and the Cambridge Police department would be the departments responsible for responding to after hour complaints were there is a threat of public safety, such as a rabid wild animal or a vicious dog.

After hour protocol is as follows: The initial call should be made to emergency communications. The dispatcher makes a determination if Animal Control is needed immediately. If an Animal Control Officer is needed, the telephone numbers for the three Animal Control Officers are available to the dispatchers. The dispatchers call the Animal Control Officers at home and if they are available, they will respond. If the dispatcher is unable to communicate with an Animal Control Officer, they direct the call to the Animal Rescue League of Boston. The Animal Rescue League supports local Animal Control Departments in the Boston metro region for animal emergency calls. The police department also has equipment available to handle vicious dogs and rabid animals. In 1993 and again in 1995 the Animal Control Officers attended the in house training academy at the Cambridge Police Department and offered training in regards to responding to calls of rabid animals and dog bite situations. This training also included police officers from Harvard University.

The current response protocol has worked effectively for the past 15 years. In the situation with the rabid skunk the Animal Rescue League did respond, remove and test the animal as needed.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

October 15, 2001

To The Honorable, The City Council:

Please find attached a response to Council Order No. 35, dated September 24, 2001, regarding Zoning District Boundaries, received from City Solicitor Russell B. Higley.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

October 15, 2001

To The Honorable, The City Council:

In accordance with City Ordinance Chapter 2.110 relative to disposition of City property, I am enclosing my preliminary report regarding an offer from Harvard University to purchase an easement below Cambridge Street that represents the conclusion for a 5-year process relating to the construction of the Center for Government and Institutional Studies project.

I will be scheduling a community meeting during the week of October 22, 2001 to gain additional information. The Planning Board will also hold a public hearing on this matter and make its recommendations to me, which I will transmit to the City Council. The City Council will then hold a public hearing on the proposed disposition.

This transmittal merely begins the comprehensive process.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

MASSACHUSETTS

**City Council Calendar No. 22
Monday, October 15, 2001**

At 5:30 P.M.

CHARTER RIGHT

1. Charter Right was exercised by Councillor Sullivan on Applications and Petitions #1 of October 1, 2001 on an application from US Petroleum/Cambridge Auto Clinic requesting permission for a sign at the premises numbered 297 Concord Avenue on the Concord Avenue side. Approval has been received from Inspection Services and Community Development. **(This is a pre-existing sign.)**
2. Charter Right was exercised by Councillor Sullivan on Applications and Petitions #2 of October 1, 2001 on an application US Petroleum/Cambridge Auto Clinic requesting permission for a sign at the premises numbered 297 Concord Avenue on the Walden Street side. Approval has been received from Inspection Services and Community Development. **(This is a pre-existing sign.)**

ON THE TABLE

3. Landmark Designation Study Report for Shady Hill Square, 1-11 Shady Hill Square and 36 Holden Street.
4. An order introduced by Councillor Reeves regarding an allocation for a planning study for Riverside.
5. Committee Report #1 of April 23, 2001 regarding a meeting held on March 27, 2001 for the purpose of discussing whether a zoning prohibition of lodging houses in Residence C and C-1 zoning districts is consistent with the City's goal of promoting affordable housing.

6. Landmark Designation Study Report for designating as a protected landmark the Tulip Tree at 1436 and 1446 Cambridge Street.
7. An order introduced by Councillor Decker regarding increasing the Affordable Housing Trust by at least one million dollars.
8. Committee Report #2 of September 10, 2001 regarding the progress made on improving the condition of the housing at Fresh Pond Apartments.
9. Committee Report #3 of September 24, 2001 regarding the roundtable-working meeting with representatives of tenants and owners of Fresh Pond Apartments and regulatory agencies to follow up on the prior hearing on the condition of the housing and related matters.

UNFINISHED BUSINESS

10. Proposed ordinance to the Municipal Code to establish a Community Preservation Act Committee as required by the Community Preservation Act (CPA). The question comes on passing to be ordained on or after August 13, 2001.
11. Proposed amendment to the Zoning Ordinance to amend the zoning in East Cambridge with the East Cambridge Planning Study (ECAPS) proposal. The question comes on passing to be ordained on or after August 13, 2001. The deadline for this petition is October 16, 2001.
12. Proposed amendment to the Zoning Ordinance to amend the zoning in East Cambridge with the Birk et al. Petition. The question comes on passing to be ordained on or after August 13, 2001. The deadline for this petition is October 16, 2001.

**APPLICATIONS AND PETITIONS -
CITY COUNCIL MEETING OF MONDAY, OCTOBER 15, 2001**

- | | |
|---|----|
| 1. An application was received from Cambridge Family Literacy Collaboration requesting permission for a temporary banner across Massachusetts Avenue in front of City Hall. Approval has been received from abutters. | 1. |
| 2. An application was received from The Christmas Tree Store requesting permission for a sandwich board sign at the premises numbered 1971 Massachusetts Avenue. | 2. |

**CONSENT COMMUNICATIONS -
CITY COUNCIL MEETING OF MONDAY, OCTOBER 15, 2001**

- | | |
|--|----|
| 1. A communication was received from Fred Rogers, transmitting thanks for the thoughtful resolution. | 1. |
| 2. A communication was received from the family of Eric T. Carlson, transmitting deep appreciation for the City Council's expression of sympathy. | 2. |
| 3. A communication was received from the family of Arnold (Okie) O'Connor, transmitting thanks for the resolution adopted by the City Council on his behalf. | 3. |
| 4. A communication was received from Tarvis Realty Trust, owner of 31-39 Hurley Street and 20-26 Spring Street, transmitting written protest to the Birk zoning petition. | 4. |
| 5. A communication was received from 11 Hurley Street Associates, owner of 14 Spring Street, transmitting written protest to the Birk zoning petition. | 5. |
| 6. A communication was received from Biogen, owner of 12 Cambridge Center, transmitting written protest to the Eastern Cambridge Planning Study Area zoning petition. | 6. |
| 7. A communication was received from Biogen, owner of 241-243 Binney Street and 152-156 Sixth Street, transmitting written protest to the Eastern Cambridge Planning Study Area zoning petition. | 7. |
| 8. A communication was received from MIT, owner of Technology Square and One Broadway, transmitting written protest to the Birk zoning petition. | 8. |
| 9. A communication was received from Kendall Square, LLC owner of 364 Third Street and 364R Third Street, transmitting written protest to the Birk zoning petition. | 9. |

**CONSENT COMMUNICATIONS -
CITY COUNCIL MEETING OF MONDAY, OCTOBER 15, 2001**

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|---|-----|
| 10. A communication was received from Efekta Schools, transmitting a recommendation of the technical amendments to the ECAPS zoning petition. | 10. |
| 11. A communication was received from the Black family, transmitting gratitude for the City Council resolution adopted on behalf of James F. Black, Jr. | 11. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, OCTOBER 15, 2001**

1. Resolution on the death of Christine Leonardo. 1.
Mayor Galluccio and entire membership
2. Congratulations to Sergeant Joseph Wilson for receiving special 2.
recognition from the Massachusetts Neighborhood Crime Watch
Commission on October 15, 2001.
Mayor Galluccio and entire membership
3. Resolution on the death of Reverend Paul R. Rynne. 3.
Councillors Toomey, Sullivan and entire membership
4. Resolution on the death of Anna E. Calorio. 4.
Mayor Galluccio and entire membership
5. Resolution on the death of Geraldine Herrick. 5.
Mayor Galluccio and entire membership
6. Thanks and appreciation to the city departments and contractors for 6.
their assistance to the city during the emergency situation at the new
Water Treatment Plan on Thursday, October 4, 2001.
Councillor Sullivan and entire membership
7. Retirement of Phyllis Stewart from the School Department. 7.
Mayor Galluccio and entire membership
8. Retirement of Mary J. O'Hare from the Traffic, Parking and 8.
Transportation Department.
Mayor Galluccio and entire membership
9. Retirement of Robert Medeiros from the Traffic, Parking and 9.
Transportation Department.
Mayor Galluccio and entire membership
10. Retirement of Ernest Sousa from the Public Works Department. 10.
Mayor Galluccio and entire membership
11. Resolution on the death of Josephine C. Vossmer. 11.
Mayor Galluccio and entire membership

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, OCTOBER 15, 2001**

- | | |
|---|-----|
| 12. Resolution on the death of Herbert G. Trant.
Mayor Galluccio, Councillor Sullivan and entire membership | 12. |
| 13. Resolution on the death of Mary A. Sottile.
Mayor Galluccio, Councillors Sullivan, Toomey and entire membership | 13. |
| 14. Resolution on the death of Lawrence L. "Reverend Larry Love"
Hinkson.
Mayor Galluccio, Councillors Sullivan, Davis and entire membership | 14. |
| 15. Resolution on the death of Roy E. Curry.
Mayor Galluccio and entire membership | 15. |
| 16. Speedy recovery wishes to Millie O'Neill.
Councillor Sullivan and entire membership | 16. |
| 17. Resolution on the death of Reverend Joseph Glavin, S.J.
Councillor Sullivan and entire membership | 17. |
| 18. Resolution on the death of Charles W. Robinson.
Mayor Galluccio and entire membership | 18. |
| 19. Retirement of Barbara Gratl from the Cambridge Hospital.
Mayor Galluccio and entire membership | 19. |
| 20. Resolution on the death of Alice Martins.
Councillor Toomey and entire membership | 20. |
| 21. Resolution on the death of Vincent N. Scales.
Councillor Sullivan and entire membership | 21. |
| 22. Resolution on the death of K. Lucy Kennedy.
Councillor Sullivan, Mayor Galluccio and entire membership | 22. |
| 23. Congratulations to Gwathmey, Inc. on their achievement in receiving
the Tibbetts Award.
Mayor Galluccio and entire membership | 23. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, OCTOBER 15, 2001**

24. Resolution on the death of Raul Mendonca. 24.
Councillor Toomey and entire membership
25. Congratulations to Forest City Enterprises on being honored for their 25.
achievements in real estate, charitable activities and community
betterment at the 2001 Distinguished Real Estate Award Gala on
November 27, 2001.
Mayor Galluccio and entire membership
26. Resolution on the death of Mary T. Buchanan. 26.
Mayor Galluccio and entire membership
27. Congratulations to Rebecca Howard on her appointment to 27.
Annapolis.
Councillor Davis and entire membership
28. Congratulations to Professor Wolfgang Ketterle for receiving, along 28.
with two other scientists, the 2001 Nobel Prize in physics.
Councillor Davis and entire membership
29. Thanks to the corporate good citizens and institutions who 29.
participated in the International Walk Your Child to School Day.
Councillor Davis and entire membership
30. Congratulations to Kevin Melin and all who participated in the 30.
operation of "Lemon Aid" which raised money for relief aid to
victims of the September 11, 2001 terrorist attack.
Vice Mayor Maher and entire membership
31. Congratulations the Cambridgeport School and Community School 31.
on their Neighborhood Block Party which took place on October 12,
2001.
Councillor Davis and entire membership
32. Best wishes to Father William Walsh as he resigns his position as 32.
Pastor of St. Peter's Church.
Councillor Sullivan and entire membership

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, OCTOBER 15, 2001**

33. Congratulations to Barry Sharpless on the occasion of his receiving the Nobel Prize in chemistry. 33.
Councillor Davis and entire membership
34. Congratulations to Edward J. Sullivan for being the recipient of the President's Award from the Middlesex County Bar Association. 34.
Councillor Sullivan and entire membership
35. Congratulations to James W. Sahakian, Assistant District Attorney, for his receiving the Life Time Achievement Award from the Middlesex County Bar Association. 35.
Councillor Sullivan and entire membership
36. Congratulations to Joseph A. Amoroso, Jr. on his receiving the Community Service Award from the Middlesex County Bar Association. 36.
Councillor Sullivan and entire membership
37. Congratulations to Alan Stone on his appointment as Vice President for Government, Community and Public Affairs at Harvard University. 37.
Councillor Davis and entire membership
38. Encourage Cantabrigians to be cognizant of the presentation by the Central Square Business Association dinner meeting which will sponsor a panel presentation by five Central Square Real Estate owners and managers. 38.
Councillor Davis and entire membership

**POLICY ORDER AND RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, OCTOBER 15, 2001**

1. Declare November as National Adoption Month in the City of Cambridge. 1.
Councillors Decker and Braude
2. Feasibility of reinstating the policy of assigning a police officer to patrol City Hall during business hours. 2.
Councillor Toomey
3. Address the sewage smell problem at the intersection of Dudley and Cedar Streets in North Cambridge. 3.
Mayor Galluccio and Councillor Toomey
4. Prepare amendment to the municipal code to ban the operation of motorized scooters on public streets and sidewalks in Cambridge. 4.
Councillor Sullivan
5. Urge the State Legislature to adopt legislation to ban the operation of motorized vehicles on public ways and sidewalks. 5.
Councillor Sullivan
6. Support of legislation entitled "AN ACT PERMITTING THE USE OF PHOTOMONITORING DEVICES" as a means of promoting traffic safety in the cities of Boston and Cambridge. 6.
Councillor Davis
7. Evaluation of the resurfacing of Cambridge Street at the corners of Prospect Street and Tremont Street. 7.
Councillor Sullivan
8. Possible extension of the lease for the North Cambridge Family Center. 8.
Councillors Davis, Sullivan and Decker
9. Draft ordinance to specify that any construction entity is responsible for the elimination of rodent infestation created or worsened through the construction work. 9.
Councillor Sullivan

**POLICY ORDER AND RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, OCTOBER 15, 2001**

- | | |
|---|-----|
| 10. Dedicate the area in front of the 1369 Coffeehouse in honor of Reverend Larry Love.
Councillors Decker and Davis | 10. |
| 11. Report on security measures that the city has taken in light of the September 11, 2001 attacks.
Councillor Decker | 11. |
| 12. Report on timeline for appointments to a permanent Open Space Committee.
Councillor Davis | 12. |

O-1.

October 15, 2001

COUNCILLOR DECKER
COUNCILLOR BRAUDE

WHEREAS: November is National Adoption Month; now therefore be it

RESOLVED: That this City Council go on record declaring November as National Adoption Month in the City of Cambridge; and be it further

RESOLVED: That the City Manager be and hereby is requested to direct the appropriate departments to hang a banner in front of City Hall recognizing National Adoption Month.

O-2.

October 15, 2001

COUNCILLOR TOOMEY

WHEREAS: In response to the tragic events of September 11, security in public buildings is being enhanced; and

WHEREAS: Cambridge City Hall provides the general public with unencumbered access to a wide range of municipal departments; now therefore be it

ORDERED: That the City Manager be and hereby is requested to direct the Police Commissioner to study the feasibility of reinstating the policy of assigning a police officer to patrol City Hall during business hours.

O-3.

October 15, 2001

MAYOR GALLUCCIO
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to work with the Water Department and other appropriate City Departments to address the persistent sewage smell problem at the intersection of Dudley and Cedar Streets in North Cambridge.

O-4.

October 15, 2001

COUNCILLOR SULLIVAN

ORDERED: That the City Manager be and hereby is requested to direct the City Solicitor to prepare an amendment to the municipal code to ban the operation of motorized scooters on public streets and sidewalks in Cambridge.

O-5.

October 15, 2001

COUNCILLOR SULLIVAN

RESOLVED: That the City Council go on record urging the State Legislature to adopt state legislation to ban the operation of motorized vehicles on public ways and sidewalks; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a copy of this resolution to the Cambridge legislative delegation and the Public Safety Committee of the Massachusetts General Court.

O-6.

October 15, 2001

COUNCILLOR DAVIS

RESOLVED: That the City Council go on record supporting legislation entitled "AN ACT PERMITTING THE USE OF PHOTOMONITORING DEVICES " as a means of promoting traffic safety in the cities of Boston and Cambridge; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this motion to the Committee on Public Safety.

O-7.

October 15, 2001

COUNCILLOR SULLIVAN

ORDERED: That the City Manager be and hereby is requested to confer with the Commissioner of Public Works regarding the condition of the resurfacing of Cambridge Street at the corners of Prospect Street and Tremont Street; a person stepping off the curb onto the street encounters various surface levels and unevenness.

O-8.

October 15, 2001

COUNCILLOR DAVIS
COUNCILLOR SULLIVAN
COUNCILLOR DECKER

ORDERED: That the City Manager be and hereby is requested to confer with the landlord with the view in mind of considering extending the lease for the North Cambridge Family Center; and be it further

ORDERED: That in the event of a solution not being met with the above parties, the City Manager be and hereby is requested to assist the Center for Families to locate a new space for their facility.

O-9.

October 15, 2001

COUNCILLOR SULLIVAN

ORDERED: That the City Manager be and hereby is requested to provide the City Council with a draft ordinance to specify that any construction entity, whether City, private contractor working for the city, or private construction operation, is responsible for the elimination of any rodent infestation created or worsened through the construction work.

O-10.

October 15, 2001

COUNCILLOR DECKER
COUNCILLOR DAVIS

RESOLVED: That the City Council dedicate the area in front of the 1369 Coffeehouse between the facing benches as "**Reverend Larry Love Plaza;**" and be it further

RESOLVED: That the Assistant to the City Council be directed to confer with the family regarding a suitable dedication ceremony and communicate with the Department of Public Works to arrange for the sign.

O-11.

October 15, 2001

COUNCILLOR DECKER

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on the security measures that the city has taken in light of the September 11, 2001 attacks.

O-12.

October 15, 2001

COUNCILLOR DAVIS

ORDERED: That the City Manager be and hereby is requested to report to the City Council in two weeks on a timeline for appointments to a permanent Open Space Committee.

**COMMITTEE REPORTS
FOR THE CITY COUNCIL MEETING OF MONDAY, OCTOBER 15, 2001**

1. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Marjorie C. Decker, Chair of the Neighborhood and Long Term Planning Committee, for a meeting held on July 24, 2001 for the purpose of discussing W.R. Grace plans for dealing with asbestos on its site in relation to its planned excavation of a utility trench.

2. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Kathleen L. Born and Vice Mayor David P. Maher, Co-Chairs of the Ordinance Committee, for a meeting held on September 25, 2001 for the purpose of considering a proposal filed by the City Council to amend the zoning in the Cambridgeport area in Special 8 (SD8) to create new SD8 and SD8A.

3. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Vice Mayor David P. Maher and Councillor Kathleen Born, Co-Chairs of the Ordinance Committee, for a meeting held on October 2, 2001 for the purpose of discussion of the East Cambridge Study Petition and the Birk Petition to amend the zoning in East Cambridge.

Committee Report #1

NEIGHBORHOOD AND LONG TERM PLANNING In City Council October 15, 2001

COMMITTEE MEMBERS

Councillor Marjorie C. Decker, Chair

Councillor Kathleen L. Born

Vice Mayor David P. Maher

The Neighborhood and Long Term Planning Committee held a public meeting on July 24, 2001, beginning at 6:10 p.m. in the cafeteria of the Banneker School, 21 Notre Dame Avenue, for the purpose of discussing W. R. Grace plans for dealing with asbestos on its site in relation to its planned excavation of a utility trench.

Present at the meeting were Councillor Marjorie C. Decker, Chair of the Committee, Vice Mayor David P. Maher, Councillor Kathleen L. Born and City Clerk D. Margaret Drury. Also present were Harold Cox, Cambridge Chief Public Health Officer, Lisa Peterson, Commissioner of Public Works, Sam Lipson, Environmental Health Director, Department of Public Health, Don Drisdell, Deputy City Solicitor, Nancy Glowa, First Assistant City Solicitor, Susanne Rasmussen, Director of Environment and Transportation, Community Development Department and Robert Bersani, Director of the Inspectional Services Department.

Councillor Decker convened the hearing and explained the purpose. She introduced the city staff present and explained that while the advance notice for the meeting was short, it was important to have the meeting prior to the one City Council meeting of the summer, in case there was a need for City Council follow-up after this meeting. Councillor Decker then invited Harold Cox, Chief Public Health Officer, to begin the discussion. Mr. Cox introduced Sam Lipson, Director of Environmental Health for the Public Health Department.

Mr. Lipson provided background information. He was notified by W. R. Grace by telephone last fall that W. R. Grace wanted to do some work on its property, the first work to fall under the asbestos protection ordinance. W. R. Grace did sampling using the methodology prescribed by the ordinance. The results did not identify any asbestos. W. R. Grace submitted a management plan. At this time he had to make a decision as to how to interpret the ordinance. He had to decide whether the work was exempt from the ordinance under Section 8.61.060 and he also had to decide whether tenting and venting was required for work in an area where the required tests showed no evidence of asbestos. Also, the work plan as submitted did not include emergency work stoppage methodology. He required a protocol for emergency work stoppage if asbestos is identified during the work or other emergency issues arise. With respect to the exemption issue, he concluded that W. R. Grace would need to give him additional information about the nature of the work. However, regarding the issue of whether tenting and venting is required when the specific area of the work was tested as required in the ordinance and no asbestos was found, he initially decided it was not. He then sent notification to all abutters and members of the public who had requested notification.

Mr. Lipson did not receive comments from the public. At that time there were no comments requesting tenting and venting. Later, when W. R. Grace started work, there was

much public concern. He went to look at the work and also sought the City Solicitor's legal opinion as to whether he could make a distinction for a part of the property where the test revealed no asbestos and was told he could not. The City Solicitor's opinion was that if asbestos was found on any part of the property, the ordinance required the remediation specified.

At the present time, W. R. Grace has received a letter from him saying that the work is still subject to the ordinance even though no asbestos was found in that portion of the property and that if W. R. Grace wants to pursue its claim of exemption, it must submit information regarding possible exemption. He next heard from W. R. Grace by a letter he received today. (Attachment.) They have made a commitment to submit any further documents by the end of the week. Thus he will be able to make a decision quickly.

Councillor Decker asked whether the depth of testing is as deep as the trench. Mr. Lipson said yes, the ordinance is very specific as to that requirement and the records of testing indicate that the departmental requirement was met.

Councillor Decker then invited questions from the public.

Representative Alice Wolf asked what it would cost to do tenting and venting of the area proposed to be dug. Susanne Rasmussen said that she has a general familiarity but cannot just answer on the spot. Representative Wolf said that if the cost isn't too high, she would expect it is the best policy to go ahead with the tenting and venting. Mr. Lipson said W. R. Grace has said that the cost will be \$250,000 to \$500,000.

Daniel Kuman, 69 Harvey Street, asked whether if W.R. Grace does voluntary tenting and venting here where no asbestos was found in the tests, would they have to do it again. Attorney Drisdell stated that it would not create a legal precedent but W. R. Grace may be perhaps covered about creating a perceived precedent. If the ordinance requires tenting and venting here, it requires it everywhere on the W. R. Grace property.

David Bass, Norris Street, asked for Mr. Lipson's impression of the nature of the proposed work. He read the report and didn't see much about present utilities. Mr. Lipson said that there are utilities underground now that date back to the 1940's. There is also telecommunications wire and conduit but the conduit is not big enough to run electrical wires. The work also does appear to be an upgrade. Mr. Bass said that samples showed both fill and native material, which shouldn't be there if it was already dug up. Mr. Lipson said that he does not know the answer. It may be because the trench is wider. Mr. Bass said W. R. Grace proposed the OSHA level industrial standard for exposure to asbestos. The number is much higher than the background asbestos that W. R. Grace found. He is concerned about what would cause work stoppage.

Mr. Lipson said that the ordinance does not speak to threshold levels. He left this to the state and the state took a conservative approach in setting the threshold.

Councillor Decker said that the City has to rely on documents from W. R. Grace. What can the City do to find out the truth?

Mr. Drisdell explained authority of the Cambridge Department of Public Health to investigate. Mr. Lipson said the area is presumptively contaminated.

Joe Joseph, Kassul Park, thanked city staff and Representative Wolf for being here. He said that the issue of W. R. Grace being able to carve out a section is inappropriate. The ordinance definition references the federal standard. It is not really necessary to amend the ordinance. The neighbors want this area tented and vented. He congratulated city staff on their narrow interpretation of the ordinance.

Denise Guerin, 125 Montgomery Street, requested further clarification on different levels: OSHA, background and residential.

Gretchen Von Grossman quoted the perimeter monitoring standard of no evidence of the chemical. Ms. Von Grossman said that there are many standards that are set as a baseline and it is expected that local government will set more stringent requirements so long as they at least meet the baseline. Why not use the strictest level?

Mr. Lipson said there is no particular reason for one standard. The state standard for tolerance of asbestos in the soil is 0. The issue is the administrative issue of the cost and time for one city staff person to administer a different standard when state is already regulating with conservative standards. The level for soil is 0 because they don't know what the level should be because there has not been much experience with asbestos in the soil. They have had a fair amount of experience with airborne asbestos because of removal from houses, etc.

Councillor Decker asked what triggers the exemption. Mr. Lipson said that he believes the original discussion was about emergency maintenance.

Councillor Decker asked about the time frame for determination of exemption. Mr. Lipson explained that there are no deadlines in the ordinance. In its letter, W. R. Grace has committed to get documents to him by the end of the week. He will make a decision within a week of receiving the documents.

Craig Kelly raised a question regarding the exemptions in the ordinances. Ms. Rasmussen stated that there are three exemptions: emergency repair, maintenance of underground utilities and soil-disturbing activities on residential property with no documented history of on-site industrial asbestos.

Mary White, 245 Harvey Street, noted that the utility work does not involve facilities providing power to the public, which she would expect the exemption maintenance of underground utilities is directed towards. She asked about training of workers. Mr. Lipson stated that they have to comply with state law regarding cleanup of hazardous material.

Mr. Lipson noted that the EPA has some concerns about using techniques involving wetting soil and tenting and venting at the same time.

Vice Mayor Maher asked how the public can have confidence in the samples. MR. Lipson said samples are not taken by the site owner, but rather by professional engineering firms, and involving licensed site professionals. It is true that the ultimate payer is the site owner.

Vice Mayor Maher asked if under the ordinance the City could deny permission to dig even if they tent and vent. Mr. Drisdell replied in the negative.

Mike Nakagawa, 51 Madison Avenue, said that the city ordinance was designed to be tighter than anything else around. He said that the EPA air standard is tighter than the state standard. He expressed a concern about using maintenance as an excuse to allow upgrading. The use of overhead utilities could obviate the need for any digging. He noted that W. R. Grace did work to remove an underground tank with no protective measures. Mr. Nakagawa asked for time for public comments after the Department of Public Health decision, for example, a draft decision. Mr. Lipson said he thought that was possible.

Thalia Tringo asked if there is any reason why the City cannot treat W. R. Grace differently and just tell them they have to take the most stringent projections because of their history of bad behavior. Mr. Drisdell explained that "due process" means they are to be treated like any other property owner with a substantial amount of asbestos on their property.

Gretchen Von Grossman, Jackson Street, stated that the neighborhood has organized to take samples at the same time as W. R. Grace, and in every case, their samples show more asbestos than the W. R. Grace samples.

Maura Cole, Dudley Street, asked whether allowing W. R. Grace to do this work means that it can then do development. Mr. Lipson stated that he cannot say.

Richard Clarey, Brookford Street, asked if a bond could be required. Mr. Drisdell stated that he would have to look at the ordinance.

Councillor Born asked about the criteria of work. Is there no distinction between this work and the work for a new building. Mr. Lipson answered in the negative.

Councillor Born asked whether, in the event that the work proceeds without tenting and venting, the licensed site professional (LSM) is responsible for perimeter monitoring. Will the City have its own licensed site professional? Mr. Lipson said that the City has a number of options for monitoring to which the property owner cannot say no. Mr. Lipson said he is already in the process of discussing with city staff what type of presence the City will have and what level of expertise will be required. At a very minimum, city staff will be present at regular intervals.

Representative Wolf said that one of the real issues is that there should not be any digging on the site. The most simple thing to do would be to get W. R. Grace to do the work above ground.

Mr. Lipson stated that that would still require soil disturbance.

Joe Joseph said the way to go is above ground work. He recommends specifically asking W. R. Grace whether they would do above ground work.

Councillor Decker thanked all those present for their attendance and work on this issue.

She noted the following:

- W. R. Grace is obviously not just any company, it has continued to violate the public trust, so the public has heightened concerns.
- There are city staff with a great deal of integrity trying to protect the public. She emphasized this point.
- It is very important that city staff ensure that soil management issues are articulated and explained to the citizens. It is important to understand the very real fear of W. R. Grace that exists in this neighborhood.

The meeting adjourned at 8:20 p.m.

For the Committee,

Councillor Marjorie Decker
Chair

Committee Report #2

ORDINANCE COMMITTEE MEMBERS

In City Council October 15, 2001

Councillor Kathleen L. Born, Co-Chair

Vice Mayor David P. Maher, Co-Chair

Councillor Jim Braude

Councillor Henrietta Davis

Councillor Marjorie C. Decker

Councillor Kenneth E. Reeves

Councillor Michael A. Sullivan

Councillor Timothy J. Toomey, Jr.

Mayor Anthony D. Galluccio

The Ordinance Committee held a public hearing on September 25, 2001, beginning at 4:55 P.M. in the Sullivan Chamber for the purpose of considering a proposal filed by the City Council to amend the zoning in the Cambridgeport area in Special District 8 (SD8) to create new SD8 and SD8A.

Present at the hearing were Vice Mayor David P. Maher and Councillor Kathleen L. Born, Co-Chairs of the Committee, Mayor Anthony D. Galluccio, Councillor Jim Braude, Councillor Henrietta Davis, Councillor Marjorie C. Decker, Councillor Kenneth E. Reeves, Councillor Michael A. Sullivan, Councillor Timothy J. Toomey, Jr., and City Clerk D. Margaret Drury. Also present were Beth Rubenstein, Assistant City Manager for Community Development, Lester Barber, Community Development Department (CDD), Stuart Dash, CDD and Donald Drisdell, Deputy City Solicitor.

Councillor Born convened the hearing and explained the purpose. She noted that when the City Council voted to refile the petition, the Council also adopted an order requesting CDD to consider possible amendments which could accelerate the building of housing in the district through some mixed use development, while addressing neighborhood concerns about traffic and public access to open space. Councillor Born then invited a presentation from CDD. Les Barber summarized the petition. There is very little change from the current zoning in the SD 8 portion of the proposal. In SD 8 FAR is decreased to 1.50 and the inclusionary zoning provision that are excluded under current zoning are allowed, bringing the effective FAR for residential development to 1.95. The petition creates a new Special District 8A with an FAR of .75 for non-residential uses, 1.50 for permitted residential and dormitory uses, a maximum height of 60 feet, but limited to 45 feet within 100 feet of Fort Washington Park and the boundary of the Residence C-1 and C-2A districts.

Mr. Barber stated that the Planning Board will be considering the petition, along with the City Council's request to look for ways to provide more incentive for housing on October 2, 2001 for the first time. Mr. Barber said that the Planning Board may consider some sort of transfer of development rights and/or mixed use for a particular period of time. There may be other options.

Councillor Born then invited questions from the committee.

Councillor Davis asked about the original purpose for recommending SD8 as a residential district. She stated her understanding that a big part of the impetus was to not exacerbate the traffic and parking problems that are already significant. The proposal was not just about housing. Traffic is so bad in that area that the state is building a new highway - the Cambridgeport Roadway, to keep the traffic from the new development from the neighborhood. Mr. Barber stated that there were originally seventeen districts recommended for housing only. There were several considerations which varied from district to district. In this district, an important reason that the 8A area was selected is that it is very close to existing residential uses.

Councillor Sullivan asked if the Cambridgeport Roadway project is a state highway. CDD staff replied that it is not a state highway; it is a state project and it will be a state road.

Mr. Barber said that in SD 8A, the FAR for residential development is 1.5 and inclusionary zoning applies. Dormitory FAR is also 1.5. Commercial development is not allowed. Existing commercial buildings are subject to the existing regulations nonconforming buildings.

Councillor Born noted that there is currently a gas tank across the street from California Paint and asked if the owners could replace the tank with another kind of storage. Mr. Barber said that possibly the owners could make such a change. There is some leeway for nonconforming property, but not much.

Councillor Born asked about heights. Mr. Barber said that the height limits are not altered from the existing zoning except that along Putnam Avenue, near Cambridgeport Commons, the height is reduced from 60' to 45'.

In response to a question from Vice Mayor Maher, Mr. Barber said that the proposed height for residences along Sidney Street is thirty-five to forty feet.

Councillor Born then invited public testimony.

David Clem, 10 Park Way, Hanover, New Hampshire, Managing Partner, Lyme Properties, Cambridge, stated that Lyme Properties does not own property in the proposed SD 8A District. Their land in SD8 is all built out. They were asked by Vertex and Vertex's owner, Vappi, to look at this issue. The Vappi parcels consist of an entire block bounded by Sidney, Putnam and Grove. Mr. Clem stated that the tension between residence and commercial is exacerbated when the transition is not carefully designed and in this case the proposed zoning makes that kind of design infeasible for this particular site.

Councillor Davis said that the zoning was intended to promote a change to housing over time; it was not intended to be a transition zone.

Mr. Clem said that in the SD8 district, the only housing built in the last ten years was a dormitory. There is not sufficient incentive; it is not economically feasible. The SD 8A proposed base zoning for residential building is 1.5 FAR. That is a reduction for the existing

1.75 with a special permit. Theoretically a developer can get that FAR back through inclusionary zoning. In the inclusionary bonus, half of the housing must be affordable. On the Vappi parcel, it is worth more to leave the commercial buildings as is with an FAR of .83 and parking on the surface. If the building burned down, the most financially feasible step would be to rebuild housing to 1.63 FAR to avoid underground parking and inclusionary zoning.

Councillor Born noted that inclusionary zoning is not discretionary. It is mandatory. Mr. Clem said that the 15% of affordable units are mandated, but there is no requirement to build the bonus units, and given the parking requirements, it is simply too expensive. Mr. Clem then demonstrated by model a development that could produce housing on that site. Parking would be below grade. If the SD 8A proposal passes as is, the Vappi parcel will not produce housing; it will be frozen at its current buildout of .83 FAR.

Mr. Clem noted the irony of different minimum and maximum parking requirements for residential and commercial development. He suggested putting the SD 8A boundary at Putnam Avenue. If the primary objective is to build housing, it is hard to know if the zoning will produce that result without a parcel-by-parcel analysis. As drafted, the proposal will not promote housing north of Putnam Avenue on any parcel.

Councillor Born asked what FAR calculation Mr. Clem used for his scenarios. Architect Dan Whinney said he used 1.63 for mixed use.

Councillor Davis stated that her impression is that this is overall more development. She asked Mr. Barber whether this is true.

Mr. Barber explained the calculation of FAR in mixed districts as part of the Citywide Rezoning.

Mr. Clem said that under the current SD 8, commercial buildings can be built to 1.25 FAR. If the property is built as residential development with a special permit, it can be 1.75 FAR. Under the SD 8 modification proposed, commercial stays the same but residential FAR is reduced to 1.5. The inclusionary bonus can increase the FAR to 1.95, but 50% of the bonus must be affordable. Under SD 8A, no new commercial development is allowed.

Catherine Donaher, MIT, submitted written testimony (**Attachment A**), which she summarized. She encouraged the kind of parcel-by-parcel analysis that makes the goals achievable. Ms. Donaher said that MIT is interested in building housing on its Fort Washington site. MIT is also interested in putting housing in the California Paint site, but not until it can amortize the cost of the property through some other commercial use so that it can afford to build the housing.

Ms. Donaher added that MIT also suggests that SD 10, which is not in the current petition, be rezoned. It was down-zoned in 1992, and it would benefit from the approach taken in more recent rezonings. She also noted that the purchase of FAR at commercial rates in a commercial area makes it impossible to build housing.

Stash Horowitz, 12 Florence Street, said that the Citywide Rezoning omitted a great deal of land in Cambridgeport, Alewife and Eastern Cambridge. His understanding was that the new proposal would provide more housing and public benefits, or at least as much as what was proposed in the Citywide Rezoning. He does not agree with Mr. Clem's analysis and numbers. He pointed to the compromise reached with the developer of the Polaroid site. Commercial development and the traffic it generates is what is killing Cambridge. Mr. Horowitz also noted the collapse of the commercial rental market. Mr. Clem's proposal is smoke and haze. The Council should not allow itself to be bamboozled.

Mehmet A. Karakas, 2 Chestnut Street, stated his agreement with Mr. Horowitz's remarks.

Steven Kaiser, 191 Hamilton Street, stated that the Cambridgeport Roadway development will not solve the Cambridgeport traffic problems. It does not deal with bottlenecks and it links to Eastern Cambridge.

Patrick Mayeux, 20 Chestnut Street, stated that he shares the concerns expressed by residents and wants to see Mr. Clem's proposal in writing.

Bill Jones, Franklin Street, stated that Cambridgeport was Ward Five and "Greasy Village." David Clem has done a good job. He remembers Cottage Farm Bridge, Memorial Drive when the Smith House was there and ice cream cost a nickel. He remembers when Charlie Watson's cows were in Cambridgeport.

Elie Yarden, 143 Pleasant Street, stated that sometimes in working out zoning and playing the game, people lose sight of the purpose. The zoning as currently conceived is designed to protect speculative property values. In the present economy, full buildout is unlikely. The rule that every unit requires a parking space is ridiculous.

Councillor Davis made a motion of referral to the full City Council without recommendation. The motion passed on a voice vote without objection.

Councillor Born and Vice Mayor Maher thanked all those present for their participation. The meeting adjourned at 6:35 p.m.

For the Committee,

Councillor Kathleen L. Born, Co-Chair

Vice Mayor David P. Maher, Co-Chair

Committee Report #3

ORDINANCE COMMITTEE MEMBERS

In City Council October 15, 2001

Councillor Kathleen L. Born, Co-Chair

Vice Mayor David P. Maher, Co-Chair

Councillor Jim Braude

Councillor Henrietta Davis

Councillor Marjorie C. Decker

Councillor Kenneth E. Reeves

Councillor Michael A. Sullivan

Councillor Timothy J. Toomey, Jr.

Mayor Anthony D. Galluccio

The Ordinance Committee held a public working meeting on October 2, 2001, beginning at 3:55 p.m. in the Sullivan Chamber for the purpose of discussion of the East Cambridge Study Petition and the Birk Petition to amend the zoning in East Cambridge.

Present at the meeting were Vice Mayor David Maher and Councillor Kathleen Born, Co-Chairs of the committee, Councillor Jim Braude, Councillor Henrietta Davis, Councillor Michael A. Sullivan, Councillor Timothy J Toomey and City Clerk D. Margaret Drury. Also present were Beth Rubenstein, Assistant City Manager for Community Development, Lester Barber, Director of Land Use Planning and Zoning, Community Development Department (CDD), Stuart Dash, Director of Community and Neighborhood Planning, CDD, Roger Boothe, Director of Urban Design, CDD, Susann Rasmussen, Director of Transportation Planning, CDD, Iram Farooq, CDD, Donald Drisdell, Deputy City Solicitor and Nancy Glowka, First Assistant City Solicitor.

Vice Mayor Maher convened the hearing and explained the purpose. He invited Ms. Rubenstein to begin with a description of the changes to the petitions recommended by the Planning Board in the recommendation forwarded to the City Council on October 1, 2001.

Beth Rubenstein summarized the Planning Board's recommended changes to the proposed East Cambridge Planning Study Zoning (ECAPS) Petition. The major recommendations include the following:

1. **North Point:** Adopt the ECAPS zoning proposal with modifications to provide flexibility to increase the amount of commercial development permitted above the 35% if the Green Line is relocated and no additional parking is required. In looking at a PUD application, the Planning Board will also look for evidence of the provision of middle income housing. Permit additional GFA for above-grade parking structures if such structures serve to buffer noise from the railyards.
2. **East Cambridge Housing Overlay District (ECHO):** Adopt, with modifications to address use nonconformity that may be created as a result of the rezoning.

3. **PUD 4A, 4 and 4b:** Adopt, with modifications to allow additional height flexibility in the part of the PUB 4B district south of Binney Street and east of Second Street on the condition that public benefits are provided.

The committee then proceeded to a discussion of the recommended petition. The major issues and questions include the following:

Councillors Sullivan and Toomey expressed a concern about allowing residential uses along Binney Street, which is a likely truck route. Suggestions from the committee members included ensuring generous setback for any housing, requiring the edge of Binney to be open space to provide a buffer for housing behind, and adjusting the boundary of the residential district to encourage commercial use on Binney Street, at a height and density compatible with the housing to the north.

Councillor Toomey said that he thinks a 65% residential, 35% commercial mix of uses may add too many new people to an already crowded part of the city. Ms. Rubenstein noted that the Planning Board's recommendation for modifying the North Point zoning would give the planning board the flexibility to change the ratio if such a change would better further the planning goals.

Councillor Born raised the issue of how best to encourage the development of a municipal sports facility for high school football at North Point. Mr. Barber said that nothing in the existing proposal would preclude a stadium, but there is no requirement. Ms. Rubenstein stated that a municipal sports facility could be included as one of the factors the Planning Board would look to in assessing the public benefit in a PUD application.

Councillor Toomey suggested requiring shuttle service from the T station to the neighborhood south of Monsignor O'Brien Highway, if the T station is moved across the highway. Ms Rasmussen informed the committee that shuttle service is on the list of the PTDM methods that the developer can use to deal with the reduced parking and meet the required reduction in single occupancy vehicle trips. The requirement is very stringent, and the developer will need to use tools like a shuttle service to fulfil the requirement. A shuttle is not required, what is required is a mix of alternative transportation options that actually reduce single occupancy vehicle trips and the need for parking.

Councillor Sullivan asked Ms. Rubenstein if CDD staff had been able to draft the language for the amendments that he had requested at the last Ordinance Committee and had been attached as an order to the report of the meeting on the Council agenda on October 1, 2001. Ms Rubenstein answered in the affirmative and distributed the requested language. (Attachment A). The material addresses mitigation of traffic impacts for any housing on Binney Street through setbacks and other buffers, and language to clarify that all local government uses including police and fire stations are allowed as of right in the PUD at Kendall Square. The material also includes two potential amendments to the Industry B district to allow for the possibility of an increase in GFA in exchange for reduction in parking spaces. CDD recommend the second alternative, as being less likely to cause unforeseen results.

The Zoning Subcommittee of the Association of Cambridge Neighborhoods submitted a memorandum to the Ordinance Committee. (Attachment B).

Vice Mayor Maher and Councillor Born informed the committee that they plan to meet with all members of the committee who were not at this meeting as soon as possible. Councillor Born expressed her hope that the committee will not entertain any new issues at this late hour, barring unforeseen and exceptional circumstances, and requested that committee members bring issues and requests to the Co-Chairs to sort out and communicate to CDD and not overwhelm staff with individual requests. They thanked all those present for their participation.

The meeting was adjourned at 6:03 p.m.

For the Committee,

Councillor Kathleen L. Born, Co-Chair

Vice Mayor David P. Maher, Co-Chair

**COMMUNICATIONS AND REPORTS FROM CITY OFFICERS -
FOR THE CITY COUNCIL MEETING OF MONDAY, OCTOBER 15, 2001**

1. A communication was received from D. Margaret Drury, City Clerk, regarding scheduling the final Roundtable Meeting of the Year.
2. A communication was received from Councillor Kathleen L. Born and Vice Mayor David P. Maher Co-Chairs of the Ordinance Committee regarding the final recommendation on the Eastern Cambridge Rezoning Petition.